

## **REMARKS**

### **Results of Interview:**

The instant RCE application and accompanying amendment is being filed as a result of discussion with Messrs. Schlaifer and Hong held in a telephone interview on Aug. 25, 2004. During this interview, applicant presented amended claim 1, presented herein as new claim 22 for discussion purposes, and the examiners agreed that this claim would appear to more clearly define applicant's invention and would possibly serve to advance prosecution of the application. However, it was stated that this new claim would require the filing of an RCE application as it would raise new issues for consideration.

### **Status of Claims:**

By way of the instant amendment, claims 1-2 have been cancelled and claims 19-23 have been added. Thus, claim 3-23 remain for examination.

### **Prior Art Rejections**

Claims 1 and 17-18 stand rejected under 35 U.S.C. § 103 as unpatentable over Catapult in view of Jaakkola. Further, claims 2-3, 5-6 and 11-12 stand rejected under 35 U.S.C. § 103 as unpatentable over Catapult in view of Microsoft Corporation ("User's Guide: Microsoft Word") and further in view of Jaakkola and further in view of Hahn. Claim 4 stands rejected under 35 U.S.C. § 103 as unpatentable over Catapult in view of Microsoft Corporation and further in view of Jaakkola and Hahn and Hikida (5,737,737). Claims 7 and 9-10 stand rejected under 35 U.S.C. § 103 as unpatentable over Catapult in view of Microsoft Corporation and further in view of Jaakkola, Hahn and Parry (6,077,085). Finally, claims 8 and 13-16 stand rejected under 35 U.S.C. § 103 as unpatentable over Catapult in view of Microsoft Corporation and further in view of Jaakkola, Hahn and Costales.

The examiner's rejections are respectfully traversed.

The Examiner cites Catapult, and argues that it discloses, on pages 197-198, Microsoft Word 97' capability to simultaneously acquire and edit multiple structured

documents (Microsoft Word documents are inherently structured documents), and this capability constitutes a method of editing a plurality of structured documents.

However, Catapult, on pages 197-198, in fact discloses how to create, using Microsoft Word, a merged document which is a form letter in which customized information is combined with repetitive or boilerplate text, thereby to create many letters efficiently. The letters referred to in Catapult are in no way “structured documents”.

The present invention is directed to the extraction of plural elements contained in the structured documents which are acquired into the document edit system shown in Fig. 10 (for example). Since Catapult merely discloses the merge of non-structured documents such as letters, it is clear that Catapult is irrelevant to the present invention claimed in claim 1.

On the other hand, Jaakkola discloses “sgrep” which is a tool for searching test files and filtering text streams using structural criteria. The “sgrep” uses patterns called region expressions to express which regions of the input text are output to standard output. The Examiner argues that Jaakkola shows, on page 10, examples of the usage of sgrep which indicate that it can be used in a flexible manner that using an element edit statement which indicates an element to be extracted. However, in this regard, the Examiner is not correct in that that Jaakkola merely describes, on page 10, several examples of region expressions, and neither teaches or suggests “an element edit statement which indicates element to be extracted”.

In order to expedite further prosecution of the application, applicant has presented new independent claim 22 which recites: (a) acquiring at least a first and a second of mark-up language, structured document in a document edit system; (b) extracting at least a first and second element in a first mark-up language document and a third and fourth element in a second mark-up language document using an element edit statement which specifies the first and third elements to be extracted by a first common identifier or tag and specifies the second and fourth elements of by a second common identifier or tag, wherein the elements are extracted while the relationship of the first and second elements and the third and fourth elements is maintained; and (c) generating said resultant document, wherein said resultant

document includes an arrangement of elements extracted in step (b) such that said first and third elements are arranged together with each being arranged in association with said second and fourth elements respectively. (The underlined portions are made for emphasis). A similar language is utilized in the sole remaining independent claims which is newly submitted independent claim 23. The preambles of both claims have also been consistently drafted. These amendments recite limitations that are clear not shown in the prior art taken either singly or in combination.

Applicant's dependent claims are deemed patentable at least for the same reasons set forth above in connection with independent claims 22 and 23.

**Conclusion:**

As to applicant's amended claims, it is submitted that the Patent and Trademark Office has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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